

Amendments to the Drawings

Please substitute for the single Sheet of Replaced Drawings, which forms one of the pages in the accompanying two-page Appendix, the single Sheet of Replacement Drawings which forms the second page in the two-page Appendix.

Remarks/Arguments

This Amendment has been prepared in response to the Office Action dated March 16, 2007 regarding the above-identified patent application.

In that Action, the Examiner (a) objected to certain informalities in the drawings, (b) objected to the specification with respect to certain contents present on pages 5 and 11 in the specification (addressed below herein), and (c) rejected all claims in the application under 35 U.S.C. §103(a) as being unpatentable over Shellhammer ("IEEE 802.15.2 Clause 14.1 - Collaborative Coexistence Mechanism).

Applicant has thoughtfully reviewed the Examiner's Action and comments, along with the several cited and applied prior art references. Applicant has also carefully examined the specification, claims, abstract and drawings in this case. By the present Amendment, applicant responds, in manners discussed below, to the Examiner's technical objections to language in the specification, responds also to the Examiner's objection to the drawings by submitting herewith a single Sheet of Replacement drawings (now made formal), and presents comments below which point out quite clearly why the Examiner's obviousness rejection based on the Shellhammer reference is decidedly inappropriate.

With respect to the Examiner's technical objections to the specification, applicant (a) has revised the large partial paragraph beginning on page 5, line 5 in the specification to correct the inadvertent, original inclusion of an unnecessary word which is now stricken from this text, (b) discusses below the Examiner's objections to certain language present on page 5, line 19 and on page 11, line 5 in the specification, (c) proposes no other specification text changes, and

(d) proposes no claim language changes.

With respect to page 5, line 19 in the specification, the Examiner argues that the word “hereinbelow” is not a word. Applicant disagrees, and on this point thoughtfully encourages the Examiner take a careful look at the Merriam Webster Dictionary, which is available, for example, over the Internet, wherein the Examiner will observe that the word “hereinbelow” is in fact a well-recognized word. For the Examiner’s convenience, applicant presents immediately below a substantially direct extraction from the Internet-presented Merriam Webster Dictionary which addresses this issue as follows:

hereinbelow: Function: *adverb*; Meaning: *at a subsequent point in this writing or document*

It may also be interesting for the Examiner to learn that, in about the last 30-years, there have issued approximately 130,000 U.S. Patents which use this word in their specification texts.

With respect to the Examiner’s expressed uncertainty about the meaning of the phrase “system 10” which appears on page 11, line 5 in the specification, applicant is startled, inasmuch as there is *only* a single structure 10 which is referred to in this entire application, with the Examiner-objected-to reference to system 10 appearing in a flow of text in which the *only* drawing figure which has been mentioned is Fig. 1, wherein system 10 is specifically illustrated. Accordingly, it is beyond applicant’s understanding how the Examiner could wonder whether the reference made to system 10 on specification page 11 line 5 is other than a reference to the system 10 which is pictured in Fig. 1. Accordingly, no changes have been made in the specification text on page 11.

With respect to the cited and applied prior-art reference, unfortunately the

Examiner has completely misread and misunderstood applicant's claimed invention, wherein the invention *focus* involves a modified practice for presenting bandwidth-availability information to computers competing as a group in a network for bandwidth access to communicate information. Applicant's claimed invention presents a technique whereby bandwidth information is made available in a fashion that involves utilization of what is clearly referred to in the specification and the claims as a "sub-pattern of selected, periodic beacon transmissions having a defined second time spacing between the time-next-adjacent chosen sub-pattern transmissions, which second time spacing *encompasses a predetermined number of the beacon transmissions* having the mentioned first time spacing (*Emphasis Added*)...". This focused-upon technique of applicant's invention, importantly, in no way involves any subdivision of a basic, or fundamental, beacon time interval.

If the Examiner will carefully re-read applicant's specification, what the Examiner will find is that in the specification, for example beginning at page 13, line 8 and ending at page 14, line 17, and in the very text quoted above found in claim 1 as originally presented, the term "sub-pattern" is clearly given a definition to describe a specially selected, secondary rather than primary pattern of beacon transmissions for the purpose of accomplishing the aim of the invention. Absolutely nothing about applicant's invention has anything to do, as the Examiner suggests, with dividing a time interval into subintervals. On this point, the Examiner, has, for some reason, misunderstood that *there is no time-interval subdivision at all involved in applicant's claimed invention.* In this context, and by way of sharp contrast with applicant's claimed invention, the Examiner will certainly recognize that the reference which has been cited and applied to the claims herein is focused totally on *time-interval subdivision of a single,*

fundamental beacon interval.

Accordingly, the Examiner has misconstrued and misunderstood applicant's term "sub-pattern", and has read upon it a totally inapplicable reference which has nothing whatsoever to do with modified bandwidth transmission of information involving use of a sub-pattern of otherwise primary beacon time intervals, *which sub-pattern has a time length that includes and encompasses a plurality of the basic beacon intervals.*

For this reason, Applicant proposes no changes in the claims which are very clearly patentably distinguishable over anything shown or suggested by the cited and applied prior art reference.

For the reasons given above, all claims as originally presented in this application are clearly patentable over the cited and applied art, and Applicant respectfully requests favorable reconsideration of this application, and immediate issuance of an appropriate notice of claim allowance respecting all such originally presented claims. If the Examiner has any questions regarding the amendment or remarks, the Examiner is invited to contact Attorney-of-Record Jon M. Dickinson, Esq., at 503-504-2271.

Provisional Request for Extension of time in Which to Respond

Should this response be deemed to be untimely, Applicants hereby request an extension of time under 37 C.F.R. § 1.136. The Commissioner is hereby authorized to charge any

additional fees which may be required, or credit any over-payment to Account No. 22-0258.

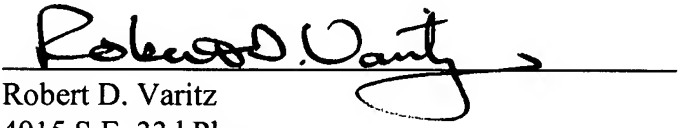
Customer Number

55428

Respectfully Submitted,

ROBERT D. VARITZ, P.C.

Registration No: 31436
Telephone: 503-720-1983
Facsimile: 503-233-7730


Robert D. Varitz
4915 S.E. 33d Place
Portland, Oregon 97202

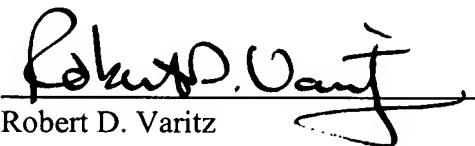
CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No.
Date of Deposit - May 30, 2007

EV965176978US

I hereby certify that the attached Response to Office Action under 37 C.F.R. § 1.111 is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Washington, D.C. 22313-1450


Robert D. Varitz